

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CENTRAL STATES, SOUTHEAST AND)	
SOUTHWEST AREAS PENSION FUND, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	Case No. 07 CV 7137
v.)	
)	District Judge Kendall
BUCK DEAN EXCAVATING, LLC,)	
)	
Defendant.)	

PLAINTIFFS' MOTION FOR RELEASE OF GARNISHED FUNDS

NOW COME Plaintiffs, by their attorneys, and move this Court for an Order directing First Federal Savings Bank of Champaign-Urbana, to release certain funds to Plaintiffs. In support, Plaintiffs state as follows:

1. On January 31, 2008, this Court entered judgment in favor of Plaintiffs and against Defendant in the amount of \$22,479.88. To date, \$19,449.94 of that total judgment remains unsatisfied.
2. On May 29, 2008, the Clerk of this Court issued a garnishment summons to First Federal Savings Bank of Champaign-Urbana, Garnishee-Defendant.
3. First Federal Savings Bank of Champaign-Urbana was served with a Garnishment Summons (non-wage), Affidavit for Garnishment (non-wage) and Interrogatories to Garnishee by the Sheriff of Champaign County on June 5, 2008.
4. At the time of service, First Federal Savings Bank of Champaign-Urbana had on deposit \$534.71 in the name of the judgment debtor. Attached hereto as Exhibit A is First Federal Savings Bank of Champaign-Urbana's Answers to Interrogatories.

5. Plaintiffs therefore move the Court to order the \$534.71 belonging to Defendant, and on deposit with First Federal Savings Bank of Champaign-Urbana, be turned over to Plaintiffs in order to further partially satisfy the judgment in this cause.

WHEREFORE, Plaintiffs respectfully request that this Court order the First Federal Savings Bank of Champaign-Urbana to release \$534.71 to Plaintiffs by mailing a check made payable to Central States, Southeast and Southwest Areas Pension Fund to the undersigned attorney at 9377 W. Higgins Road, Rosemont, Illinois 60018, and Plaintiffs further request that the Court grant them all other just and appropriate relief.

Respectfully submitted,

/s/ Edward H. Bogle

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June 13, 2008

CERTIFICATE OF SERVICE

I, Edward H. Bogle, attorney for Plaintiffs, certify that on June 13, 2008, I caused the foregoing Motion for Release of Garnished Funds to be filed electronically. This filing was served on all parties indicated on the electronic filing receipt via the Court's electronic filing system. For all other parties, who are listed below, I served the foregoing by mailing it to:

Mr. Buck Dean
607 S. Walnut St.
Mahomet, Illinois 61853

Said document was deposited in the United States Mail at 9377 West Higgins Road, Rosemont, Illinois, 60018-4938, with proper prepaid postage affixed thereto, this 13th day of June, 2008.

/s/ Edward H. Bogle

Edward H. Bogle
Plaintiffs' Attorney